

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

No. 6:23-cv-00213

**Jay Williams,**  
*Plaintiff,*

v.

**Botie Hillhouse,**  
*Defendant.*

**ORDER**


On May 1, 2023, plaintiff Jay Williams, proceeding pro se, filed this civil rights lawsuit pursuant to 42 U.S.C. § 1983. The case was referred to United States Magistrate Judge K. Nicole Mitchell pursuant to 28 U.S.C. § 636(b).

The magistrate judge instructed plaintiff to either pay the \$402 filing fee or submit an application to proceed *in forma pauperis*, along with a current six-month history of his inmate trust fund account within thirty days of receipt of the order. Doc. 2. Plaintiff submitted a “notice of attempt to pay,” which contained a hand-written “coupon” of payment. Doc. 3. Plaintiff’s coupon or personal I.O.U does not comport with the court’s order.

On June 6, 2023, the magistrate judge entered a report recommending that plaintiff’s case be dismissed without prejudice for want of prosecution and failure to obey an order. Doc. 4. No objections were filed within the time period to do so.

When no party objects to the magistrate judge’s report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge’s report and being satisfied that the report contains no clear error, the court accepts the findings and conclusions of the report. Accordingly, the complaint is dismissed without prejudice for failure to prosecute and for failure to comply with a court order.

*So ordered by the court on October 23, 2023.*

  
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J. CAMPBELL BARKER  
United States District Judge